OPINION 594

SACCHARIVORA (*PHALAENA*) PETERKIN, 1790 (INSECTA, LEPIDOPTERA) : SUPPRESSED UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the specific name *saccharivora* Peterkin, 1790, as published in the binomen *Phalaena saccharivora*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The generic name *Diatraea* Guilding, 1828 (gender : feminine), type-species, by monotypy, *Diatraea sacchari* Guilding, 1828, is hereby placed on the Official List of Generic Names in Zoology with the Name No. 1409.

(3) The specific name *saccharalis* Fabricius, 1794, as published in the binomen *Phalaena saccharalis*, is hereby placed on the Official List of Specific Names in Zoology with the Name No. 1721.

(4) The following generic names are hereby placed on the Official Index of Rejected and Invalid Names in Zoology with the Name Numbers specified :

(a) *Diatrea* Guilding, 1828 (an incorrect original spelling for *Diatraea*) (Name No. 1477) ;

(b) *Diaraetria* Grote, 1882 (an erroneous subsequent spelling for *Diatraea* Guilding, 1828) (Name No. 1478).

(5) The following specific names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified :—

(a) *saccharivora* Peterkin, 1790, as published in the binomen *Phalaena saccharivora* (as suppressed under the plenary powers in (1) above) (Name No. 651) ;

(b) *sacchari* Fabricius, 1798, as published in the binomen *Crambus sacchari* (a junior objective synonym of *Phalaena saccharalis* Fabricius, 1794) (Name No. 652).

HISTORY OF THE CASE (Z.N.(S.) 1315)

The application to suppress under the plenary powers the specific name *saccharivora* Peterkin, 1790, was received from Mr. Harold E. Box on 3 March 1958. As a result of further correspondence with the Commission's office it was considerably amended and was finally sent to the printer on 27 February 1959 and published on 1 October 1959 in *Bull. zool. Nomencl.* **17** : 56–60.

Public Notice of the possible use by the Commission of its plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (*Bull. zool. Nomencl.* **4** : 51–56) and to seven entomological serial publications.

Support for Mr. Box's proposals was received from T. W. Kirkpatrick (*Bull. zool. Nomencl.* **17** : 75) ; F. D. Bennett and F. H. Simmonds, C. E. Pemberton, J. R. Metcalfe, E. L. Martin (*Bull. zool. Nomencl.* **17** : 223) ; J. H. Kuchlein, L. C. Scaramuzza (*Bull. zool. Nomencl.* **17** : 230) ; M. H. Breese, R. H. Zwaluwenberg, F. Fernández, P. Guiagliumi, W. Szumlowski, N. J. Angeles, C. J. Rosales and R. Lichy (*Bull. zool. Nomencl.* **17** : 240).

DECISION OF THE COMMISSION

On 31 May 1960 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (60)12 either for or against the proposals set out in *Bull. zool. Nomencl.* **17** : 60. At the close of the prescribed voting period on 31 August 1960 the state of the voting was as follows :—

Affirmative votes—twenty-one (21), received in the following order : Holthuis, Prantl, Mayr, Uchida, Brinck, Dymond, Hering, Riley, Obruchev, Jaczewski, Lemche, Kühnelt, Bonnet, Miller, Vokes, Stoll, Tortonese, do Amaral, Key, Mertens, Poll.

Negative votes—none (0).

Leave of Absence—one (1) : Bradley.

Votes not returned—two (2) : Boschma, Cabrera.

A late affirmative vote was returned by Commissioner Hemming.

Original References

The following are the original references for the names placed on Official Lists and Indexes by the ruling given in the present Opinion :

Diaraetria Grote, 1882, *New Check List N. American Moths* : 56
Diatraea Guilding, 1828, *Trans. Soc. Encour. Arts* **46** : 148–149, 1 pl.
Diatrea Guilding, 1828 (an invalid original spelling for *Diatraea*)
saccharalis, Phalaena, Fabricius, 1794, *Ent. syst.* **3**(2) : 238
sacchari, Crambus, Fabricius, 1798, *Suppl. Ent. syst.* : 469
saccharivora, Phalaena, Peterkin, 1790, *A Treatise on Planting* . . . (ed. 2) : 6–10

CERTIFICATE

We certify that the votes cast on Voting Paper (60)12 were cast as set out above, that the proposal set out in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 594.

N. D. RILEY
Secretary

W. E. CHINA
Assistant Secretary

International Commission on Zoological Nomenclature

London
21 *September* 1960